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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

## Application No.

10/573,022

## Applicant(s)

YOKOTA ET AL.

## Examiner

Cordelia Zecher

## Art Unit

2432

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7, 10-14, 18, 21-25, 29 and 32-41 is/are pending in the application.
- 4a) Of the above claim(s) 4-6, 8, 9, 15-17, 19, 20, 26-28, 30 and 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 10-14, 18, 21-25, 29 and 32-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-646)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of species 5 in the reply filed on May 27, 2010 is acknowledged.

***Information Disclosure Statement***

2. The information disclosure statement filed March 22, 2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

***Specification***

3. The disclosure is objected to because of the following informalities: The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1 – 3, 7, 10 – 14, 18, 21 – 25, 29 and 32 – 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims fail to place the invention squarely within one statutory class of invention. In paragraphs [0381] to [0385] of the published specification (2007/0021141), applicant has provided evidence that applicant intends the invention to be embodied as signals. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore the claims are not statutory.

#### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1 – 3, 7, 10, 21, 22, 35, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al's US Publication 2003/0135748 A1, and further in view of McLean et al's US Patent 5,282,247.
10. Referring to claim 1, Yamada teaches:
- a. A storage unit (page 3, paragraph 54).
  - b. A requisition receiving unit operable to receive, from a terminal device having the record carrier attached thereto, a requisition for access to the storage unit (page 6, paragraph 92).
  - c. An acquisition unit operable to acquire an access condition indicating whether or not the terminal device is authorized to access the storage unit (page 6, paragraph 100).
  - d. A judging unit operable to judge whether or not the requisition satisfies the access condition (page 6, paragraph 101).
  - e. A prevention unit operable to prevent the access of the terminal device to the storage unit when the judging unit judges that the requisition does not satisfy the access condition (page 6, paragraph 102).
11. Yamada does not explicitly disclose the protecting the data stored on the record carrier instead of the phone. However, McLean discloses protecting data stored on a removable storage device against unauthorized access (column 2, lines 52-54). Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him

or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).

12. Referring to claims 2, 38, and 39, Yamada teaches the acquisition unit acquires the access condition from the access condition storage unit (page 6, paragraph 101).

13. Referring to claim 3, Yamada teaches:

f. The access condition includes an identifier list including one or more identifiers which respectively identify one or more devices authorized to access the storage unit (page 6, paragraph 101).

g. The requisition includes a requiring device identifier for identifying the terminal device (page 6, paragraph 100).

h. The judging unit judges that, (i) when an identifier matching the requiring device identifier is included in the identifier list, the requisition satisfies the access condition ( page 6, paragraph 103), and (ii) when an identifier matching the requiring device identifier is not included in the identifier list, the requisition unit does not satisfy the access condition (page 6, paragraph 102).

14. Referring to claim 7, Yamada teaches:

i. The storage unit stores one or more sets of program data (page 4, paragraph 59).

j. The access condition includes an identifier list including one or more identifiers and one or more sets of program information, which correspond one-

to-one with the identifiers respectively identifying one or more devices authorized to access the storage unit, the sets of program information each indicating one or more sets of the program data available for each of the corresponding devices to access (page 9, paragraph 143).

k. The requisition includes a requiring device identifier for identifying the terminal device and program specifying information for specifying one set of the program data (page 9, paragraph 142-143).

l. The judging unit includes:

i. A 1<sup>st</sup> judging subunit operable to judge whether or not an identifier matching the requiring device identifier is included in the identifier list (page 9, paragraph 144).

ii. A 2<sup>nd</sup> judging subunit operable to judge, when the 1st judging subunit judges that the matching identifier is included, whether or not the set of program data specified by the program specifying information is included in the one or more sets of the program data indicated by a set of the program information corresponding to the matching identifier (page 9, paragraph 144, page 10, paragraph 152).

iii. The judging unit judges that, (i) when either one of a judgment result by the 1st judging subunit and a judgment result by the 2nd judging subunit is negative, the requisition does not satisfy the access condition (page 9, paragraph 145), and (ii) when both the judgment results are

positive, the requisition satisfies the access condition (page 9, paragraph 146).

15. Referring to claim 10, Yamada teaches:

m. An access condition accepting unit operable to accept the access condition from a terminal device having the record carrier attached thereto (page 5, paragraph 75).

n. An access condition registration unit operable to register, when the terminal device is authorized, the access condition with the access condition storage unit (page 5, paragraph 76).

16. Referring to claim 21, Yamada teaches:

o. A deletion requisition receiving unit operable to receive, from the terminal device having the record carrier attached thereto, a requisition for deletion of the access condition stored by the access condition storage unit (page 15, paragraph 225).

p. An access condition deletion unit operable to delete, when the authentication unit authenticates that the terminal device is authorized, the access condition from the access condition storage unit according to the requisition (page 15, paragraph 225).

17. Yamada does not explicitly disclose authenticating whether or not the deletion is authorized. However, McLean discloses data cannot be erased from memory unless it is first unlocked (column 3, lines 20-24). Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the



invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).

18. Referring to claim 22, Yamada teaches:

q. An update requisition receiving unit operable to receive, from the terminal device having the record carrier attached thereto, a requisition for update of the access condition stored by the access condition storage unit (page 15, paragraph 225).

r. An access condition update unit operable to update, when the authentication unit authenticates that the terminal device is authorized, the access condition from the access condition storage unit according to the requisition (page 15, paragraph 225).

19. Yamada does not explicitly disclose authenticating whether or not the update is authorized. However, McLean discloses data cannot be read, written nor erased from memory unless it is first unlocked (column 3, lines 20-24). Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The

suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).

20. Referring to claim 35, Yamada teaches:

- s. A storage unit (page 3, paragraph 54).
- t. A requisition receiving unit operable to receive, from a terminal device having the record carrier attached thereto, a requisition for access to the storage unit (page 6, paragraph 92) an acquisition unit operable to store the access condition indicating whether or not the terminal device is authorized to access the storage unit (page 6, paragraph 101).
- u. A judging unit operable to judge whether or not the requisition satisfies the access condition (page 6, paragraph 101).
- v. A prevention unit operable to prevent the access of the terminal device to the storage unit when the judging unit judges that the requisition does not satisfy the access condition (page 6, paragraph 102).
- w. A terminal device comprising:
  - iv. A record carrier interface operable to attach the record carrier thereto (Figure 1).
  - v. An access requisition generation unit operable to generate the requisition of the record carrier to the storage unit (page 6, paragraph 92).
  - vi. An access requisition output unit operable to output, to the record carrier, the generated requisition for access (page 6, paragraph 92).

21. Yamada does not explicitly disclose the protecting the data stored on the record carrier instead of the phone. However, McLean discloses protecting data stored on a removable storage device against unauthorized access (column 2, lines 52-54).

Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).

22. Claims 11 – 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of McLean as applied above, and further in view of Menezes et al's Handbook of Applied Cryptography. Referring to claim 11, Yamada in view of McLean discloses all the limitations of the parent claim, including an encryption key shared with the terminal device (Yamada, page 7, paragraph 114). Yamada in view of McLean does not explicitly disclose using a challenge response to authenticate the terminal device. However, Menezes discloses:

- x. A 1st key information holding unit holds 1st key information shared with the authorized terminal device (page 400, Challenge-response by symmetric key).

- y. An output unit operable to output challenge data to the terminal device having the record carrier attached thereto (page 401).
  - z. An examination unit operable to receive response data from the terminal device having the record carrier attached thereto and examine the received response data (page 401).
  - aa. The access condition registration unit authenticates that, when, as a result of the examination, the response data is verified as data generated by using the challenge data and the 1<sup>st</sup> key information, the terminal device having the record carrier attached thereto is the authorized terminal device (page 401).
23. Yamada in view of McLean and Menezes are analogous art because they are from the same field of endeavor, authentication. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Menezes before him or her, to modify the system of Yamada in view of McLean to include the challenge response protocol of Menezes. The suggestion/motivation for doing so would have been for that the terminal device can prove its identity to the record carrier (page 397, Challenge-response identification).
24. Referring to claim 12, Yamada teaches:
- bb. The access condition accepting unit accepts the access condition (page 5, paragraph 75).
  - cc. The access condition registration unit registers the access condition with the access condition storage unit (page 5, paragraph 76).

25. Yamada in view of McLean does not explicitly disclose encrypting the access condition, or decrypting it before storage. However, Menezes discloses that entity A signs a message with its private key, and verifies the signature by decrypting it with A's public key (page 452-453). Yamada in view of McLean and Menezes are analogous art because they are from the same field of endeavor, authentication. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Menezes before him or her, to modify the system of Yamada in view of McLean to include the challenge response protocol of Menezes. The suggestion/motivation for doing so would have been because DSA is the U.S. Federal Information Processing Standard (page 452).

26. Referring to claim 13, Yamada in view of McLean does not explicitly disclose encrypting the access condition, or decrypting it before storage. However, Menezes discloses that entity A signs a message with its private key, and verifies the signature by decrypting it with A's public key (page 452-453). Yamada in view of McLean and Menezes are analogous art because they are from the same field of endeavor, authentication. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Menezes before him or her, to modify the system of Yamada in view of McLean to include the challenge response protocol of Menezes. The suggestion/motivation for doing so would have been because DSA is the U.S. Federal Information Processing Standard (page 452).

27. Referring to claim 14, Yamada teaches:

- dd. The identifier list including one or more identifiers which respectively identify one or more devices authorized to access the storage unit (page 6, paragraph 101).
28. Referring to claim 18, Yamada teaches:
- ee. The storage unit stores one or more sets of program data (page 4, paragraph 59).
- ff. The access condition includes an identifier list including one or more identifiers and one or more sets of program information, which correspond one-to-one with the identifiers respectively identifying one or more devices authorized to access the storage unit, the sets of program information each indicating one or more sets of the program data available for each of the corresponding devices to access (page 9, paragraph 143).
29. Claims 23 – 25, 29, and 32 – 34, 36, 37, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of McLean as applied above, and further in view of Fransdonk's US Publication 2003/0167392 A1.
30. Referring to claim 23, Yamada in view of McLean discloses all the limitations of the parent claim. Yamada in view of McLean does not explicitly disclose communicating with an access condition management server, or acquiring the access condition from the access condition management server. However, Fransdonk discloses a condition access agent that securely retrieves and caches the access criteria (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because

they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

31. Referring to claim 24, Fransdonk discloses:

gg. A tamper detection unit operable to examine the signature data using a verification key relevant to the access condition management server and detect whether or not the access condition has been tampered with (page 13, paragraph 220).

hh. A prohibition unit operable to prohibit, when the tamper detection detects that the access condition has been tampered, the judging unit from judging (page 13, paragraph 221).

32. Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the digital signature of Fransdonk. The suggestion/motivation for doing so would have been to secure the access criteria (page 13, paragraph 220).

33. Referring to claim 25, Yamada teaches:

- ii. The access condition includes an identifier list including one or more identifiers which respectively identify one or more devices authorized to access the storage unit (page 6, paragraph 101).
  - jj. The requisition includes a requiring device identifier for identifying the terminal device (page 6, paragraph 100).
  - kk. The judging unit judges that, (i) when an identifier matching the requiring device identifier is included in the identifier list, the requisition satisfies the access condition ( page 6, paragraph 103), and (ii) when an identifier matching the requiring device identifier is not included in the identifier list, the requisition unit does not satisfy the access condition (page 6, paragraph 102).
34. Referring to claim 29, Yamada teaches:
- ll. The storage unit stores one or more sets of program data (page 4, paragraph 59).
  - mm. The access condition includes an identifier list including one or more identifiers and one or more sets of program information, which correspond one-to-one with the identifiers respectively identifying one or more devices authorized to access the storage unit, the sets of program information each indicating one or more sets of the program data available for each of the corresponding devices to access (page 9, paragraph 143).
  - nn. The requisition includes a requiring device identifier for identifying the terminal device and program specifying information for specifying one set of the program data (page 9, paragraph 142-143).



oo. The judging unit includes:

vii. A 1<sup>st</sup> judging subunit operable to judge whether or not an identifier matching the requiring device identifier is included in the identifier list (page 9, paragraph 144).

viii. A 2<sup>nd</sup> judging subunit operable to judge, when the 1st judging subunit judges that the matching identifier is included, whether or not the set of program data specified by the program specifying information is included in the one or more sets of the program data indicated by a set of the program information corresponding to the matching identifier (page 9, paragraph 144, page 10, paragraph 152).

ix. The judging unit judges that, (i) when either one of a judgment result by the 1st judging subunit and a judgment result by the 2nd judging subunit is negative, the requisition does not satisfy the access condition (page 9, paragraph 145), and (ii) when both the judgment results are positive, the requisition satisfies the access condition (page 9, paragraph 146).

35. Referring to claim 32, Fransdonk teaches the acquisition unit acquires, each time when the requisition receiving unit receives the requisition, the access condition from the access condition management server (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and

Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

36. Referring to claim 33, Fransdonk teaches the acquisition unit acquires the access condition from the access condition management server at predetermined time intervals (page 13, paragraph 216). Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

37. Referring to claim 34, Fransdonk teaches the acquisition unit acquires, when it is detected that the record carrier is attached to a terminal device, the access condition from the access condition management server (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

38. Referring to claim 36, Fransdonk teaches an access condition registration server operable to register the access condition with the access condition storage unit of the record carrier via the terminal device having the record carrier attached thereto (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

39. Referring to claim 37, Yamada teaches:

pp. A storage unit (page 3, paragraph 54).

qq. A requisition receiving unit operable to receive, from a terminal device having the record carrier attached thereto, a requisition for access to the storage unit (page 6, paragraph 92) an acquisition unit operable to store the access condition indicating whether or not the terminal device is authorized to access the storage unit (page 6, paragraph 101).

rr. A judging unit operable to judge whether or not the requisition satisfies the access condition (page 6, paragraph 101).

ss. A prevention unit operable to prevent the access of the terminal device to the storage unit when the judging unit judges that the requisition does not satisfy the access condition (page 6, paragraph 102).

- tt. A terminal device comprising:
    - x. A record carrier interface operable to attach the record carrier thereto (Figure 1).
    - xi. An access requisition generation unit operable to generate the requisition of the record carrier to the storage unit (page 6, paragraph 92).
    - xii. An access requisition output unit operable to output, to the record carrier, the generated requisition for access (page 6, paragraph 92).
40. Yamada does not explicitly disclose the protecting the data stored on the record carrier instead of the phone. However, McLean discloses protecting data stored on a removable storage device against unauthorized access (column 2, lines 52-54). Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).
41. Yamada in view of McLean does not explicitly discloses communicating with an access condition management server, or acquiring the access condition from the access condition management server. However, Fransdonk discloses a condition access agent that securely retrieves and caches the access criteria (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because they are

from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

42. Referring to claims 40 and 41, Yamada teaches:

uu. Receiving, from a terminal device having the record carrier attached thereto, a requisition for access to the storage unit (page 6, paragraph 92).

vv. Acquiring an access condition indicating whether or not the terminal device is authorized to access the storage unit (page 6, paragraph 100).

ww. Judging whether or not the requisition satisfies the access condition (page 6, paragraph 101).

xx. Preventing the access of the terminal device to the storage unit when the judging unit judges that the requisition does not satisfy the access condition (page 6, paragraph 102).

43. Yamada does not explicitly disclose the protecting the data stored on the record carrier instead of the phone. However, McLean discloses protecting data stored on a removable storage device against unauthorized access (column 2, lines 52-54).

Yamada and McLean are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada and McLean before him

or her, to modify the system of Yamada to include the protection of the removable medium of McLean. The suggestion/motivation for doing so would have been to safeguard data stored on a memory card from unauthorized access (column 2, lines 52-54).

44. Yamada in view of McLean does not explicitly disclose communicating with an access condition management server, or acquiring the access condition from the access condition management server. However, Fransdonk discloses a condition access agent that securely retrieves and caches the access criteria (page 4, paragraph 59). Yamada in view of McLean and Fransdonk are analogous art because they are from the same field of endeavor, access control. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Yamada in view of McLean and Fransdonk before him or her, to modify the system of Yamada in view of McLean to include the caching access criteria of Fransdonk. The suggestion/motivation for doing so would have been to provide secure content distribution (page 3, paragraph 51).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cordelia Zecher whose telephone number is (571)272-7771. The examiner can normally be reached on Monday - Thursday 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. Z./  
Examiner, Art Unit 2432

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